

Ordinance No. 95796

AN ORDINANCE establishing a district in the First Hill area in which underground installation and maintenance of electric distribution, telephone, telegraph, CATV, and other wires and facilities is required for general welfare, and providing for the termination of overhead service to customers in such district.

6-13-68 *Pass*

COMPTROLLER
FILE NUMBER 260360

Council Bill No. 88332

INTRODUCED: JUN 10 1968	BY: City Utilities
REFERRED: JUN 10 1968	TO: City Utilities
REFERRED:	
REFERRED:	
REPORTED: JUN 17 1968	SECOND READING: JUN 17 1968
THIRD READING: JUN 17 1968	SIGNED: JUN 17 1968
PRESENTED TO MAYOR: JUN 17 1968	APPROVED: JUN 17 1968
RETD. TO CITY CLERK: JUN 17 1968	PUBLISHED: JUN 22 1968
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

CS 5 B. 1. 97

7/10/68

PUB. (BC)
BUDG.
ENG.
FAC.
FAC.
FAC.
FAC.
FAC.
FAC.
FAC.

Unanimous Vote
YES ☒ NO ☐

SEE ORD 95795

Ordinance No. 98798

AN ORDINANCE establishing a district in the First Hill area in which underground installation and maintenance of electric distribution, telephone, telegraph, CATV, and other wires and facilities is required for general welfare, and providing for the termination of overhead service to customers in such district.

COMPTROLLER 860360
FILE NUMBER

Council Bill No. 88332

INTRODUCED, JUN 10 1968	BY, City Utilities
REFERRED, JUN 10 1968	TO, City Utilities
REFERRED,	
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REPORTED, JUN 17 1968	SECOND READING, JUN 17 1968
THIRD READING, JUN 17 1968	SIGNED, JUN 17 1968
PRESENTED TO MAYOR, JUN 17 1968	APPROVED, JUN 19 1968
RECD. TO CITY CLERK, JUN 18 1968	PUBLISHED, JUN 22 1968
VETOED BY MAYOR,	VETO PUBLISHED,
PASSED OVER VETO,	VETO SUSTAINED,

CS 8.1.87

9/12/84

Unanimous Vote
YES 8 NO 0

PUB (HC)
BLDG.
ENG.
D. O.
A. O.
S. E.
C. O.
LIGHT

SEE ORD. 90965

ATL:ME
6-6-68

ORDINANCE 96796

AN ORDINANCE establishing a district in the First Hill area in which underground installation and maintenance of electric distribution, telephone, telegraph, CATV, and other wires and facilities is required for general welfare, and providing for the termination of overhead service to customers in such district.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the installation and maintenance of overhead wires, and appurtenances carrying any electric energy, including telephone, telegraph, CATV, and other electric service in certain streets, public areas, and areas of The City of Seattle in the First Hill area within the boundaries hereinafter set forth has been, now is and will hereafter continue to be a possible source of danger to the inhabitants of said city and the persons using such streets and areas and that the public necessity, convenience, safety and the general welfare require that all such wires and appurtenances be removed and placed underground at the expense of those owning the same or any persons interested therein.

Section 2. That everyone engaged in the distribution of electric energy by overhead wires and appurtenances or using or maintaining wires and appurtenances for telephone, telegraph, CATV or other electric service shall at their own expense remove and place underground all wires and appurtenances used for the purposes hereinabove stated in the streets, alleys and other public places within the boundaries of the district hereinafter described, and at the direction, under the supervision of, and in accordance with plans and specifications approved by the Board of Public Works, said district being bounded and described as follows:

Starting at the intersection of the center line of Pike Street and the east margin of Boren Avenue; thence south along the east margin of Boren Avenue to the north margin

of Columbia Street; thence west along the north margin of Columbia Street to the east margin of 7th-8th Alley; thence south along the east margin of 7th-8th Alley to the south margin of Cherry Street; thence west along the south margin of Cherry Street to the east boundary of the Freeway; thence north along the east boundary of the Freeway to the center line of Pike Street; thence east along the center line of Pike Street to the point of beginning.

and as illustrated by the blueprint map marked Exhibit "A" attached hereto and by this reference made a part hereof.

Section 3. That everyone owning, using or maintaining such wires and appurtenances in said streets, alleys, and other public places be and they are hereby directed, ordered and required to commence forthwith and to prosecute and complete the work of placing such wires and appurtenances underground and of removing overhead facilities at the direction, under the supervision of and in accordance with plans and specifications approved by the Board of Public Works, and to thereafter cause to be restored to good condition and repair to the satisfaction of the Board any pavements, sidewalks, sewer, water main or public utility equipment or facilities disturbed in connection with such work, and shall thereafter maintain, remove, move or replace such underground facilities on order and to the satisfaction of said Board as the public interest may require.

Section 4. That when electrical, telephone, telegraph or CATV or other electric services are available to customers from underground facilities within the above district, or a part thereof, the owners of said facilities or services shall notify the Board of Public Works, and, under said Board's direction and supervision shall then notify each such customer and/or property owner within the district, or such part thereof, that such services shall be thereafter available only from such underground facilities. Property owners and/or customers desiring continued electric services

(To be used for all Ordinances except Emergency.)

within the above district, or part thereof, shall within 90 days of receipt of such notice, provide at their own expense on their own property necessary underground facilities for conducting such services from such underground facilities to any building and structure on their property, and the above notices shall so provide.

Section 5. That the provisions of this ordinance shall not apply to Transit System trolley wires or to electric power lines carrying more than 26,000 volts.

Section 6. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 17 day of June, 1968
and signed by me in open session in authentication of its passage this 17 day of June, 1968 *Roy C. Miller*

President of the City Council.

Approved by me this 17 day of June, 1968 *W. A. Gernie*

Mayor.

Filed by me this 19 day of June, 1968

Attest:

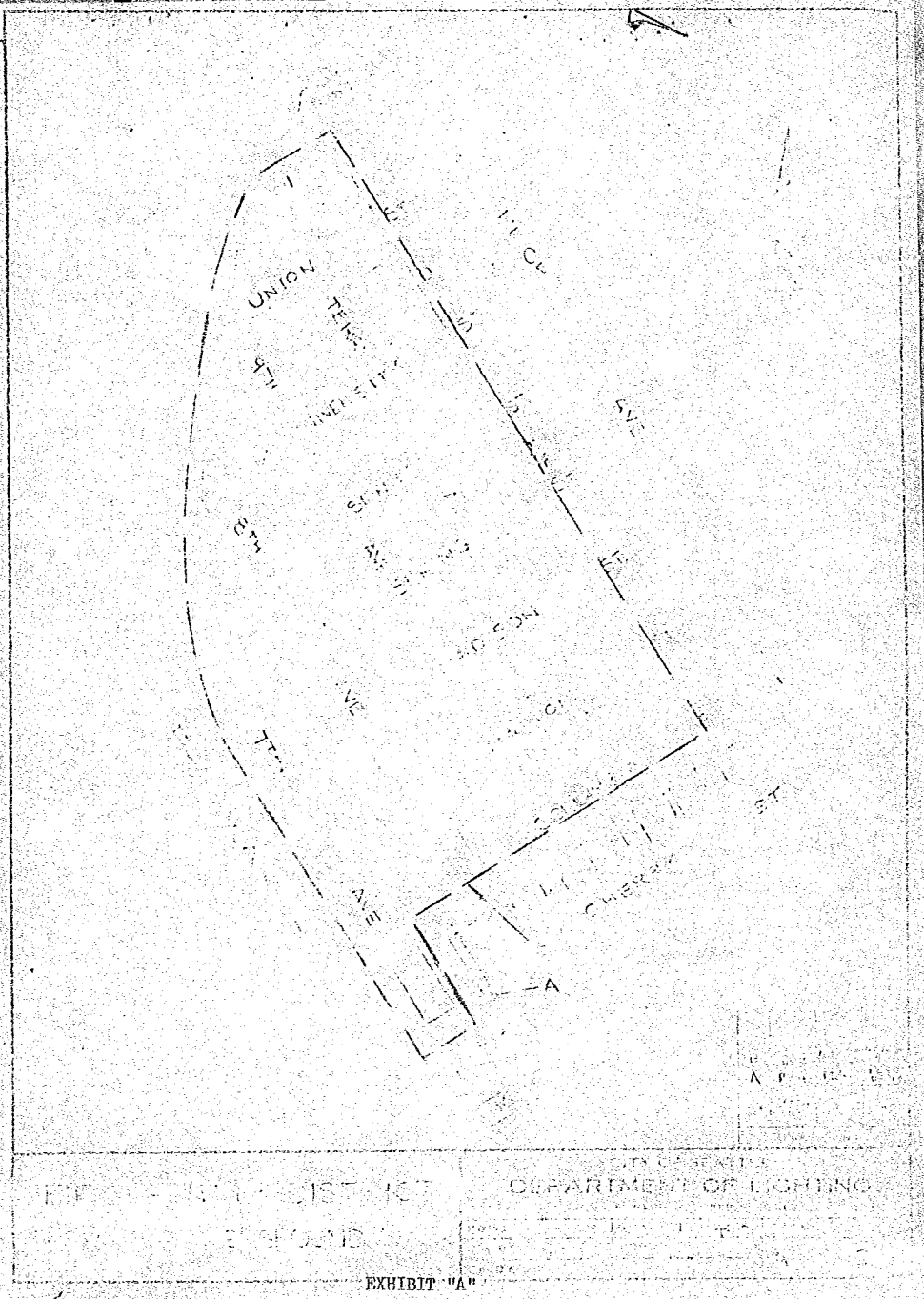
C. L. Gledhill
City Comptroller and City Clerk.

(SEAL)

Published JUN 22 1968

By

W. A. Gernie
Deputy Clerk.



"Ex B"

EXHIBIT "A"

ASSISTANT CORPORATION COUNSEL

JOHN P. HARRIS
G. GRANT WILCOX
CHARLES R. NELSON
GORDON F. GRANDALL
ARTHUR T. LANE
THOMAS J. WETZEL
E. NEAL KING
JORGEN G. RADER
JAMES M. TAYLOR
JAMES B. HOWE, JR.
J. FOGGER NOWELL
JACK B. REGAN
RICHARD H. WETMORE

THE CITY OF SEATTLE

LAW DEPARTMENT

10TH FLOOR SEATTLE MUNICIPAL BUILDING
A. L. NEWBOULD, CORPORATION COUNSEL

CITY PROSECUTORS

ROBERT M. ELIAS
JAMES G. LEACH
ROBERT B. JOHNSON

CLAIM AGENT

V. L. PORTER

June 6, 1968'

Re: C. F. 260360

Honorable Paul J. Alexander
Chairman, Utilities Committee
City Council
Seattle

Dear Sir:

In response to your request dated March 14, 1968 for legislation creating an underground utilities service district in the First Hill area, we previously transmitted to you a draft of such proposed legislation which covered the South Seattle Redevelopment Project area as well as the First Hill area (C. F. 260527). You have subsequently transmitted to us by letter of June 5, 1968 additional information with respect to the undergrounding project involving the South Seattle area which distinguishes it from the First Hill area and have orally requested that we submit to you a draft of proposed legislation covering First Hill only, and we have prepared and transmit the same herewith.

Very truly yours,

A. L. NEWBOULD
Corporation Counsel

By

Arthur T. Lane
ARTHUR T. LANE
Assistant

ATL:ME
Enc.

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

Your Committee on City Utilities
to which was referred C. B. No. 88332,

JUN 17 1968

establishing a district in the First Hill area in which underground installation and maintenance of electric distribution, telephone, telegraph, CATV, and other wires and facilities is required for general welfare, and providing for the termination of overhead service to customers in such district,

RECOMMENDS THAT THE SAME DO PASS.

Alexander

Chairman

Chairman

Committee

Committee

ORDINANCE NO. 96796

AN ORDINANCE establishing a district in the First Hill area in which underground installation and maintenance of electric distribution, telephone, telegraph, CATV, and other wires and facilities is required for general welfare, and providing for the termination of overhead service to customers in such district.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the installation and maintenance of overhead wires and appurtenances carrying any electric energy, including telephone, telegraph, CATV, and other electric service in certain streets, public areas, and areas of the City of Seattle in the First Hill area within the boundaries hereinafter set forth has been, now is and will hereafter continue to be a possible source of danger to the inhabitants of said city and the persons using such streets and areas and that the public necessity, convenience, safety and the general welfare require that all such wires and appurtenances be removed and placed underground at the expense of those owning the same or any persons interested therein.

Section 2. That everyone engaged in the distribution of electric energy by overhead wires and appurtenances or using or maintaining wires and appurtenances for telephone, telegraph, CATV or other electric service shall at their own expense remove and place underground all wires and appurtenances used for the purposes hereinabove stated in the streets, alleys and other public places within the boundaries of the district hereinafter described, and at the direction, under the supervision of, and in accordance with plans and specifications approved by the Board of Public Works, said district being bounded and described as follows:

Starting at the intersection of the center line of Pike Street and the east margin of Boren Avenue; thence south along the east margin of Boren Avenue to the north margin of Columbia Street; thence west along the north margin of Columbia Street to the east margin of 7th Alley; thence south along the east margin of 7th Alley to the south margin of Cherry Street; thence west along the south margin of Cherry Street to the east boundary of the Freeway; thence north along the east boundary of the Freeway to the center line of Pike Street; thence east along the center line of Pike Street to the point of beginning.

and as illustrated by the blueprint map marked Exhibit "A" attached hereto and by this reference made a part hereof.

Section 3. That everyone owning, using or maintaining such wires and appurtenances in said streets, alleys and other public places be and they are hereby directed, ordered and required to commence forthwith and to prosecute and complete the work of placing such wires and appurtenances underground, and of removing overhead facilities at the direction, under the supervision of, and in accordance with plans and specifications approved by the Board of Public Works, and to thereafter cause to be restored to good condition and repair, to the satisfaction of the Board any pavements, sidewalks, sewer, water main or public utility equipment or facilities disturbed in connection with such work, and shall thereafter maintain, remove, move or replace such underground facilities on order and to the satisfaction of said Board as the public interest may require.

Section 4. That when electrical, telephone, telegraph or CATV or other electric services are available to customers from underground facilities within the above district, or a part thereof, the owners of said facilities or services shall notify the Board of Public Works, and, under said Board's direction and supervision shall then notify each such customer and/or property owner within the district, or such part thereof, that such services shall be thereafter available only from such underground facilities. Property owners and/or customers desiring continued electric services within the above district, or part thereof shall within 30 days of receipt of such notice provide at their own expense on their own property necessary underground facilities for continuing such services from such underground facilities to any building and structure on their property, and the above notices shall so provide.

Section 5. That the provisions of this ordinance shall not apply to Transit System trolley wires or to electric power lines carrying more than 25,000 volts.

Section 6. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 17th day of June, 1968, and signed by me in open session in authentication of its passage this 17th day of June, 1968.

LOYD C. MILLER,
President of the City Council.

Approved by me this 14th day of June, 1968.

J. D. BRAMAN,
Mayor.

Affidavit of Publication

STATE OF WASHINGTON,
KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below

stated period. The annexed notice, a

Ordinance No. 96796

was published on

June 22, 1968

Subscribed and sworn to before me on

June 22, 1968

Notary Public for the State of Washington,
residing in Seattle.

(Note: RCW 42.25.050 states: "It shall not be necessary for a notary public in certifying an oath to be used in any of the courts in this state, to append an impression of his official seal.")

Notary Public for the State of Washington,
residing in Seattle.

(Note: RCW 42.20.060 states: "It shall not be necessary for a notary public in certifying an oath to be used in any of the courts in this state, to append an impression of his official seal.")

10th Street; thence west along the north margin of Columbia Street to the east margin of 7th St. Alley; thence south along the east margin of 7th St. Alley to the south margin of Cherry Street; thence west along the south margin of Cherry Street to the east boundary of the Freeway; thence north along the east boundary of the Freeway to the center line of Pike Street; thence east along the center line of Pike Street to the point of beginning.

and as illustrated by the blue-print map marked Exhibit "A" attached hereto, and by this reference made a part hereof.

Section 3. That everyone owning, using or maintaining such wires and appurtenances in, and streets, alleys, and other public places be, and they are hereby directed, ordered and required to commence forthwith and to prosecute and complete the work of placing such wires and appurtenances underground, and of removing overhead facilities at the direction, under the supervision of and in accordance with plans and specifications approved by the Board of Public Works, and to thereafter cause to be restored to good condition and repair to the satisfaction of the Board any pavements, sidewalks, sewer, water main or public utility equipment or facilities disturbed in connection with such work, and shall thereafter maintain, remove, move or replace such underground facilities on order and to the satisfaction of said Board as the public interest may require.

Section 4. That when electrical, telephone, telegraph or CATV or other electric services are available to customers from underground facilities within the above district, or a part thereof, the owners of said facilities or services shall notify the Board of Public Works, and, under said Board's direction and supervision shall then notify each such customer and/or property owner within the district, or such part thereof, that such services shall be thereafter available only from such underground facilities. Property owners and/or customers desiring continued electric services within the above district, or part thereof, shall within 90 days of receipt of such notice provide at their own expense on their own property necessary underground facilities for conducting such services from such underground facilities to any building and structure on their property, and the above notices shall so provide.

Section 5. That the provisions of this ordinance shall not apply to Transit System trolley wires or to electric power lines carrying more than 36,000 volts.

Section 6. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 17th day of June, 1968, and signed by me in open session in authentication of its passage this 17th day of June, 1968.

FLOYD C. MILLER,
President of the City Council.

Approved by me this 13th day of June, 1968.

J. D. BRAMAN,
Mayor.

Filed by me this 19th day of June, 1968.

Attest: G. BRILANDSON,
City Comptroller and
City Clerk.

(Seal) By W. A. PERINE,
Deputy Clerk.

Publication ordered by C. G. BRILANDSON, Comptroller and City Clerk.

Date of official publication in the Daily Journal of Commerce, Seattle, June 22, 1968. (C-892)